



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,654	04/11/2001	Debbie Indira Lewis	RCA 88648	7341

7590 06/02/2004
Joseph S Tripoli
Thomson Multimedia Licensing Inc
PO Box 5312
Princeton, NJ 08540

EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/743,654

Applicant(s)

LEWIS ET AL.

Examiner

Dennis G. Bonshock

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03-19-2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Final Rejection

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment B as received on 03-19-2004.

2. Claims 1-10 have been examined.

Status of Claims:

Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dinallo et al., Patent #5,929,857, hereinafter Dinallo and Casement et al., Patent #5,969,748, hereinafter Casement.

Claims 2, 3, 5, 7, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dinallo, Casement, and Schoner et al., Patent #6,493,506, hereinafter Schoner.

Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dinallo, Casement, Schoner, and Moeller et al., Patent #5,828,370, hereinafter Moeller.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dinallo et al., Patent #5,929,857, hereinafter Dinallo and Casement et al., Patent #5,969,748, hereinafter Casement.

5. With regard to claim 1, Dinallo teaches a method of controlling a system for processing information stored on a selected storage medium, including a program and a plurality of portions of program information (see column 3, lines 21-33), accessing and processing a first one of the plurality of portions of program information during a playback mode of operation (see column 1, line 60), providing to a user, during the playback mode of operation, an opportunity to select a second one of the plurality of portions of program information responsive to user input (see column 2, line 59), determining all of the possible portions of program information permitted on the storage medium in conformance with the DVD specification (see column 1, line 58), determining the portions of program information actually present on the selected storage medium comprising evaluating control data stored on the selected digital video disk (see column 2, line 18), and allowing the user to select one of the portions of a program information actually present on the selected storage medium (see column 2, lines 52-56). Dinallo, however, doesn't teach generating an on-screen display of all of the possible portions of program information permitted on the storage medium and which of the possible portions of program information are actually present on the selected storage medium. Casement teaches a method of displaying media content information similar to that of Dinallo, but further teaches generating an on-screen display all of the possible portions of program information permitted on the storage medium and which of the possible portions of program information are actually present on the selected storage medium (see column 4, lines 16-42). It would have been obvious to one of ordinary skill in the art, having the teachings of Dinallo and Casement before him at the time the invention

was made to modify the media display system of Dinallo to include the display of both possible and actual data, as did Casement. One would have been motivated to make such a combination because seeing both the allowed and disallowed portions of the disk give the user a better perspective of the actual content on the storage medium.

6. With regard to claim 6, Dinallo teaches and apparatus for processing information stored on a storage medium including a program and a plurality of portions of program information (see column 3, lines 21-35), a data processing unit for accessing and processing the program and a selected one of the plurality of portions of program information during a PLAY mode of operation (see column 2, line 59), a user control device for receiving input (see column 2, lines 52-56), an on-screen display unit for generating on-screen displays (see column 2, lines 45 and 52-56), a control unit coupled to the data processing unit, user control device, and on-screen display unit, for conditioning the storage medium data processing unit to activate the play mode of operation in response to user input, the apparatus providing to the user an opportunity to select a second one of the plurality of program information (see column 2, line 59 and figures 1 and 2), determining all of the possible portions of program information permitted on the storage medium in conformance with the DVD specification (see column 1, line 58), determining the portions of program information actually present on the selected storage medium comprising evaluating control data stored on the selected digital video disk (see column 2, line 18), and allowing the user to select one of the portions of a program information actually present on the selected storage medium (see column 2, lines 52-56). Dinallo, however, doesn't teach generating an on-screen

display of all of the possible portions of program information permitted on the storage medium and which of the possible portions of program information are actually present on the selected storage medium. Casement teaches a method of displaying media content information similar to that of Dinallo, but further teaches generating an on-screen display all of the possible portions of program information permitted on the storage medium and which of the possible portions of program information are actually present on the selected storage medium (see column 4, lines 16-42). It would have been obvious to one of ordinary skill in the art, having the teachings of Dinallo and Casement before him at the time the invention was made to modify the media display system of Dinallo to contain the display of both possible and actual data, as did Casement. One would have been motivated to make such a combination because seeing both the allowed and disallowed portions of the disk gives the user a better perspective of the actual content on the storage medium.

7. Claims 2, 3, 5, 7, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dinallo, Casement, and Schoner et al., Patent #6,493,506, hereinafter Schoner.

8. With regard to claims 2 and 7, Dinallo and Casement teach the system which displays means of accessing video data as rejected above, but don't teach portions of the program information comprising chapters, audio streams, or subtitle streams. Schoner teaches a system of viewing information on optical disks similar to that of Dinallo and Casement, but further teaches, in column 1, lines 24-35, the program containing video information, audio channels, and subtitles. It would have been obvious

to one of ordinary skill in the art, having the teachings of Dinallo, Casement, and Schoner before him at the time the invention was made to modify the media viewing method of Dinallo and Casement to include the specific video, audio, and subtitle information as did the invention of Schoner. One would have been motivated to make such a combination because these are the general components that make up a DVD format video.

9. With regard to claims 3 and 8, and with respect to the above rejection of claims 2 and 7 by Dinallo, Casement, and Schoner, Schoner further teaches the display containing information regarding language, type of audio information, and the number of channels associated with the audio (see column 1, line 60).

10. With regard to claims 5 and 10, and with respect to the above rejection of claim 3 and 8 by Dinallo, Casement, and Schoner, Dinallo further teaches the generating step comprising generating an on-screen display to allow a user to select the second one of the plurality of portions of a program information without interrupting a PLAY mode of the system (see column 2, lines 59).

11. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dinallo, Casement, Schoner, and Moeller et al., Patent #5,828,370, hereinafter Moeller.

12. With regard to claims 4 and 9, Dinallo, Casement, and Schoner teach the Digital video apparatus user interface that was rejected above in claims 2 and 7, but don't teach an overlay onto a portion of a video display for enabling a user to select the second one of the plurality of portions of program information while continuing to watch program playback in a background portion of the video display. Moeller teaches a video

Art Unit: 2173

delivery system similar to that of Dinallo, Casement, and Schoner but further teaches, in column 4, lines 15-27 and in figure 2, and on screen scroll bar that allows the user to index to different positions in a video stream. It would have been obvious to one of ordinary skill in the art, having the teachings of Dinallo, Casement, Schoner, and Moeller before him at the time the invention was made to modify the digital video apparatus user interface of Dinallo, Casement, and Schoner to include the time line allowing for video traversal as did Moeller. One would have been motivated to make such a combination because a slider is an easy to understand user interface element that allows a user to easily traverse to different portions of a video sequence.

Response to Arguments

13. The arguments filed on 03-19-2004 have been fully considered but they are not persuasive. Reasons set forth below.

14. The applicants' argue that Dinallo doesn't teach the two steps of determining all of the possible portions of program information permitted on the storage medium in conformance with the DVD specification and determining all of the portions actually present.

15. In response, the examiner respectfully submits that Dinallo teaches in, column 1, line 60 through column 2, line 24, a determining of all possible video sets, where they are the ones with the .VOB extensions that contain the actual data, called a video object set, Dinallo further teaches the determining of a subset of the set which is implemented through a set of parental controls, limiting some of the content.

16. The applicants' argue that the teachings of Dinallo and Casement do not teach the display of information signifying all of the possible portions of program information permitted on the storage medium in conformance with the DVD specification.

17. In response, the examiner respectfully submits that Dinallo teaches, in column 2, lines 6-63, a display comprising a set of controls, further comprising parental controls for limiting the data available for display. Casement further teaches, in column 4, lines 9-24, a system of limiting the viewing of specific data, and further teaches a display of an icon associated with each group of data along with a visual indication that some items are not currently viewable.

Conclusion

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (703)


Art Unit: 2173

305-4668. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dgb



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173